IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION No.2164/2007.

Mahindra and Mahindra Ltd. Petitioners.

Vs.

Assessing Officer,
Ward No. 1 (1), TDS,Nashik
and Others. ..Respondents.

Mr S.E. Dastur, Senior Advocate with Mr Sanjiv M. Shah for the Petitioners.

Mr B.M. Chatterjee with Mr Ashok Kotangale with Mrs P. P. Bhosale, Advocate for Respondents.

CORAM:DR.S. RADHAKRISHNAN
AND V.C. DAGA,JJ.
DATED:19th June, 2007.

P.C.:-

1. Heard the learned senior counsel for the petitioners and the learned counsel for the respondents.

2. After hearing the parties at length the concerned Income Tax Officer has filed an affidavit dated 19th June, 2007; whereby he has withdrawn the impugned order. In view thereof nothing survives in the present petition.

3. The learned counsel for the respondents states that some other Officer other than the respondents in this petition will be deputed who will afford fair opportunity of personal hearing to the petitioners after giving atleast 15 days clear notice before hearing the petitioners.

4. It is also made clear that in the event of any adverse order being passed, the same shall not be given effect for a period of four weeks from the date of service of the said order on the petitioners.

5. The petitioners are entitled to withdraw the entire amount deposited by the respondents in this Court with the accrued interest.

6. The petition is disposed of in above terms.

(V.C. DAGA,J.) **(DR.S. RADHAKRISHNAN,J.)**